

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Marcia Melendez, Jarican Realty Inc.,  
1025 Pacific LLC, Ling Yang, Top East  
Realty LLC, and Haight Trade LLC, Elias Bochner,  
and 287 7th Avenue Realty LLC

*Plaintiffs,*

*v.*

The City of New York, a municipal entity,  
Bill de Blasio, as Mayor of the City of New York,  
Louise Carroll, Commissioner of New York City  
Department of Housing Preservation &  
Development, and Jonnel Doris, Commissioner of  
New York City Department of Small Business  
Services,

*Defendants.*

**NOTICE OF CROSS MOTION  
FOR SUMMARY JUDGMENT  
DISMISSING THE  
COMPLAINT**

20 CV 05301 (RA)

**PLEASE TAKE NOTICE** that upon the annexed Declaration of Pamela A. Koplik dated September 23, 2022, the Declaration of Coby Kalter of the New York City Department of Small Business Services dated September 22, 2022, together with the exhibits annexed thereto, Defendants' Responses and Objections to Plaintiffs' Rule 56.1 Statement of Undisputed Facts, Defendants' Rule 56.1 Statement of Undisputed Facts, the accompanying memorandum of law, and all of the papers and proceedings had herein, Defendants will cross-move this Court, before the Honorable Ronnie Abrams, at the United States Courthouse for the Southern District of New York, located at 40 Foley Square, New York, New York, on a date and at a time to be designated by the Court, for an order and judgment dismissing the Complaint in the above-captioned action

pursuant to Rules 56 and 57 of the Federal Rules of Civil Procedure, together with such other and further relief as the Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to the Court's Order dated September 12, 2022, Plaintiffs shall serve opposition to the instant cross-motion on or before October 14, 2022, and Defendants shall serve any reply in support of the instant cross-motion on or before October 28, 2022.

Dated: New York, New York  
September 23, 2022

**HON. SYLVIA O. HINDS-RADIX**  
Corporation Counsel of the City of New York  
Attorney for Defendants

By:                     /s/                      
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TO: Counsel of Record (via ECF)